

Amendments to Senate Bill No. 148
3rd Reading Copy

Requested by Representative Robyn Driscoll

For the House Local Government Committee

Prepared by Joe Kolman
March 11, 2009 (8:08pm).

1. Title.

Following: line 7

Insert: "7-2-4103,"

2. Page 1.

Following: line 15

Insert: "Section 1. Section 7-2-4103, MCA, is amended to read:

"7-2-4103. Prerequisites to organization of municipality.

No municipal corporation may be formed unless:

(1) (a) the number of inhabitants is 300 or upwards; or
(b) the community was a townsite owned and built by the
U.S. government prior to April 3, 1981; and

(2) the boundary of the proposed territory to be
incorporated is more than 3 miles from the boundary, measured
from the nearest point between the two, of any presently
incorporated city or town or there is presented to the board
appropriate evidence that any presently incorporated city or town
within 3 miles which legally could annex has refused to annex the
proposed territory; and

(3) the express written consent is provided by the owner of
record for a parcel of land used in whole or in part for
agriculture, mining, smelting, refining, power generation, or any
industrial or manufacturing purpose that is proposed to be
included within the boundary of the proposed territory to be
incorporated."

{ Internal References to 7-2-4103:

7-2-4104x }"

- END -